



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/921,782	08/06/2001	Niels C. Holch	08339.0002-05000	7805

22852 7590 12/12/2006

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP

901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER

COBURN, CORBETT B

ART UNIT

PAPER NUMBER

3714

DATE MAILED: 12/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/921,782

Applicant(s)

HOLCH ET AL.

Examiner

Corbett B. Coburn

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 53-71,73-93,95-98,100-102,112-114 and 119-157 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 53-71,73-93,95-98,100-102,112-114 and 119-157 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Potential Claim Rejections – 35 USC § 112

1. Applicant has claimed essentially the same invention at least 20 different ways.

Applicant has repeated the subject matter of the same seven claims over and over again in a bewildering array of permutations of limitations. Clearly, this is a case of undue multiplicity.

While Examiner has not made this rejection in this action, Examiner wishes to put the Applicant on notice that he will do so in the next office action unless there are major changes (i.e., cancellation of the majority of the duplicative claims). At most Examiner will examine two permutations of these claims – approximately 14 claims and no more than 20 claims.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 53-57, 60-64, 73-77, 93, 95-97, 112, 113, 119, 120, 124-128, 134-138 & 147 are rejected under 35 U.S.C. 102(b) as being anticipated by Itkis (US Patent Number 4,856,787).

Claims 53, 60, 93, 112, 119, 126, 128, 135, 137, 147: Itkis teaches a gaming system with a plurality of game terminals (7). Each game terminal includes a means for receiving a wager amount (keypad, 8, Col 3, 1-2) for a game from a player, means (microprocessor, 10) for executing an application program (Col 3, 13-34) in response to an externally-generated random number (Abstract – random data), means for determining a result of the game (microprocessor, 10, Col 4, 2-8), means for displaying (display, 9)

the result of the game, and means for transmitting (network, 6) game information for each game for which the wager amount was received. There is a central controller (1), connected to each of the plurality of game terminals (Fig 1). The central controller includes means for receiving, from the game terminals, the transmitted game information for each game for which the wager amount was received, and means for adjusting player account information after each game for which a wager amount was received. (Col 3, 66 - Col 4, 10) The player may choose which game to play using touch screen (9). (See Fig 5.) Itkis teaches maintaining a current account balance for the player. This means that the system must update the player's account at the end of the game. The central computer may generate the random numbers. (Col 4, 16-22)

Claims 54, 61, 74, 95, 125: The game terminal further includes means for receiving player identification information from the player (i.e., the game card identification number, Col 5, 25-28).

Claims 55, 56, 62, 63, 75, 76, 96, 97: The game terminals receive account information through a card reader (36). Thus, the game terminals do not accept coins or bills.

Claims 57, 64, 113, 120, 124, 134: The game information includes at least the result of the game. (Col 3, 66 – Col 4, 10)

Claim 73: See claims 53 & 57.

Claims 77, 138: Itkis teaches the transmission of accounting information. (Col 3, 66 – Col 4, 10) This would include a wager amount & updated account balance.

Claim 127, 136: Itkis teaches that the master & slave may be identical in both hardware & software. (Col 4, 23-28) Thus the terminals may include a random number generator.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 58, 59, 65, 66, 68-71, 78, 79-92, 98, 100-102, 114, 121-123, 129-133, 139-146 & 148-157 are rejected under 35 U.S.C. 103(a) as being unpatentable over Itkis as applied to claim 53, 60, 77, 80 112, 119, 147 (where applicable) in view of Franchi (US Patent Number 5,770,533).

Claims 58, 65, 67, 78, 80, 85, 87, 98, 122, 129, 131, 133, 139, 140, 142, 143, 150, 156:

Itkis teaches the invention substantially as claimed. Itkis teaches that the accounting information is sent from the slave to the central controller and that the central controller is used to verify the player won a game. (Col 3, 66 – Col 4, 10) This implies that the central controller adjusts the player account information after each game according to the result of the game. However, Itkis does not explicitly teach this. Franchi teaches that centralized accounting for casinos provides better security. (Background of the Invention) It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Itkis in view of Franchi so that the central controller includes means for adjusting player account information of the player after each game according to the result of the game for which the wager amount was received in order to provide better security.

Claims 59, 66, 71, 79, 86, 91: Both Itkis and Franchi teach maintaining current account balances. This implies means for crediting the player account information when the player wins the game, and means for debiting the player account information when the player loses the game.

Claims 68, 81, 88, 100, 130, 144: The game terminal further includes means for receiving player identification information from the player (i.e., the game card identification number, Col 5, 25-28).

Claims 69, 70, 82, 83, 89, 90, 101, 102: The game terminals receive account information through a card reader (36). Thus, the game terminals do not accept coins or bills.

Claims 57, 64, 84, 92, 123, 157: The game information includes at least the result of the game. (Col 3, 66 – Col 4, 10)

Claims 132, 141: Itkis teaches that the master & slave may be identical in both hardware & software. (Col 4, 23-28) Thus the terminals may include a random number generator.

Claim 145, 149, 155: Franchi teaches verification of the player account balance by the central computer. (Col 50-65) This cannot be accomplished without a database to store player account balances.

Claims 146, 148, 151: Both Itkis & Franchi teach maintaining a copy of the player account on the player's card. This means that they must transmit that balance to the player terminal.

Claim 152: Itkis teaches receiving the game result (i.e., the random data) from the central computer.

Claim 153: Itkis teaches that the slave maintains current account data that is verified by

Art Unit: 3714

the central computer. (Col 3, 66- Col 4, 10) Thus Itkis teaches determining an account balance independently of that generated by the central computer.

Response to Arguments

6. Applicant's arguments with respect to claims 53, etc. have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

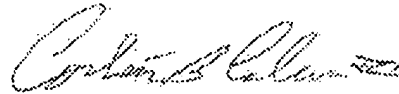
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Corbett B. Coburn whose telephone number is (571) 272-4447. The examiner can normally be reached on 8-5:30, Monday-Friday, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (571) 272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR

Art Unit: 3714

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



CORBETT B. COBURN
PRIMARY EXAMINER

Corbett B. Coburn
Primary Examiner
Art Unit 3714